

10/5 sector

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
49128(551)

In Re Application Of: Y. Ikeda, et al

Serial No.
09/322,108

Filing Date
5/28/99

Examiner
Not Assigned

Group Art Unit
2731

Invention:

**DIGITAL OPTICAL COMMUNICATION DEVICE AND METHOD FOR TRANSMITTING AND RECEIVING
DATA WITH LIGHT EMISSION INTENSITY CONTROLLED**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
6/28/99
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above ~~Application Number and Filing Date.~~
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Assignment

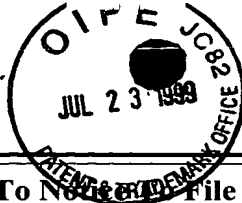
Recordation Form Cover Sheet

Check - \$40.00 - Assignment Recordal

Check: \$1454.00 - Filing Fee + Surcharge

Certified Copy of Japanese Patent Application Nos. 10-146789, Filed 5/28/98 and 11-130186, Filed 5/11/99

Statement by Practitioner That Application Filed in PTO is the One Inventor Executed by Signing Declaration



**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
49128(551)

In Re Application Of: **Y. Ikeda, et al**

Serial No.
09/322,108

Filing Date
5/28/99

Examiner
Not Assigned

Group Art Unit
2731

Invention:

**DIGITAL OPTICAL COMMUNICATION DEVICE AND METHOD FOR TRANSMITTING AND RECEIVING
DATA WITH LIGHT EMISSION INTENSITY CONTROLLED**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

☒ Utility application filing fee **\$760.00**

☐ Design application filing fee

☒ Total number of independent claims = **10** **\$546.00**

☒ Total number of claims = **21** **\$18.00**

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the invention

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees **\$1,454.00**

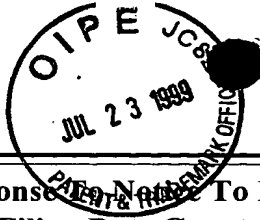
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

Total time extension fees

Total fees due **\$1,454.00**



**Response To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
49128(551)

In Re Application Of: Y. Ikeda, et al

Serial No.
09/322,108

Filing Date
5/28/99

Examiner
Not Assigned

Group Art Unit
2731

Invention:

**DIGITAL OPTICAL COMMUNICATION DEVICE AND METHOD FOR TRANSMITTING AND RECEIVING
DATA WITH LIGHT EMISSION INTENSITY CONTROLLED**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$1,454 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 04-1105
- A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.
- A duplicate copy of this sheet is enclosed.

Signature

Dated: July 21, 1999

David G. Conlin
Reg. No. 27026
Dike, Bronstein, Roberts & Cushman, LLP
130 Water Street
Boston, MA 02109
617-523-3400

I certify that this document and fee is being deposited on July 21, 1999 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Holly F. Malarney

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/322,108	05/28/99	IKEDA	Y 49128(551

DAVID G CONLIN
DIKE BRONSTEIN ROBERTS AND CUSHMAN LLP
130 WATER STREET
BOSTON MA 02109

NOT ASSIGNED

2731

DATE MAILED:

06/28/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this **NOTICE** to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 184,576.00

- ☒ 1. The statutory basic filing fee is:

☒ missing.
☐ insufficient.

Applicant must submit \$ 100.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. The following additional claims fees are due:

\$ 18.00 for 1 total claims over 20.

\$ 546.00 for 7 independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47. *John J. ...*

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.216(d)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.141, unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202



Practitioner's Docket No. 49128(551)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Y. Ikeda, et al

Serial No.: 09/322,108

Group No.: 2731

Filed: 5/28/99

Examiner: Not Assigned

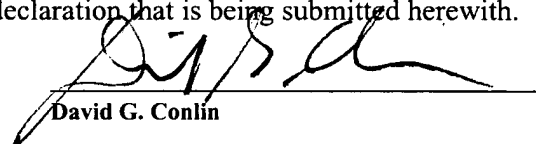
For: DIGITAL OPTICAL COMMUNICATION DEVICE AND METHOD FOR TRANSMITTING
AND RECEIVING DATA WITH LIGHT EMISSION INTENSITY CONTROLLED

Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT BY PRACTITIONER THAT APPLICATION FILED IN PTO
IS THE ONE INVENTOR EXECUTED BY SIGNING DECLARATION

I, David G. Conlin
Reg. No. 27026
Dike, Bronstein, Roberts & Cushman, LLP
130 Water Street
Boston, MA 02109
Tel. No. (617) 523-3400

state I am the registered practitioner for this application and the application identified above is the
application that the inventor(s) executed by signing the declaration that is being submitted herewith.


David G. Conlin

Customer No.: 21874

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

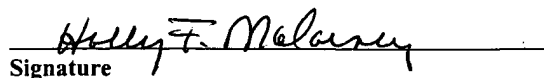
MAILING

☒ deposited with the United States Postal Service
with sufficient postage as first class mail in an
envelope addressed to the Assistant
Commissioner for Patents, Washington, D.C.
20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and
Trademark Office.

Date: July 21, 1999


Signature

Holly F. Malarney

(type or print name of person certifying)